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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

YEE THAO,

Plaintiff(s),

v.

JO ANNE B. BARNHART, Commissioner  
of Social Security,

Defendant(s).

CASE NO. CV-F-05-0009-LJO

Hon. Lawrence J. O'Neill  
United States Magistrate Judge

**MOTION TO DISMISS THE COMPLAINT;  
AND PROPOSED ORDER**

PLEASE TAKE NOTICE that Plaintiff Yee Thao, through her attorney of record, petitions this Court to dismiss the complaint filed on January 3, 2005. The reason for this motion, is that after a thorough review of the administrative record, plaintiff's counsel has come to the conclusion that this action lacks merit. Plaintiff's has conferred with plaintiff, who has agreed to dismiss her complaint. Attached hereto as exhibit "A" is plaintiff's acknowledgment to dismiss.

Dated: June 27, 2005

Respectfully submitted,

S/ Stuart Barasch  
STUART BARASCH  
Attorney for Plaintiff

**ORDER**

On this date came on to be considered the Motion to Dismiss the Complaint. The Court is of the opinion that plaintiff's request should be **GRANTED**.

It is, therefore, **ORDERED** that plaintiff's complaint be dismissed.

**SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
HON. LAWRENCE J. O'NEILL  
U.S. MAGISTRATE JUDGE

**IT IS SO ORDERED.**

**Dated: June 27, 2005**

**/s/ Lawrence J. O'Neill**

**b9ed48**

**UNITED STATES MAGISTRATE JUDGE**